

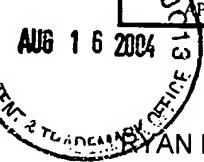
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O I P E

AUG 16 2004

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

RYAN KROMHOLZ & MANION, S.C.
 Post Office Box 26618
 MILWAUKEE, WI 53226

10/828,359

04/17/2004

Tom Westberg

F-5495 DIV

CONFIRMATION NO. 4891
FORMALITIES LETTER



OC000000013105177

Date Mailed: 06/29/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)***Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

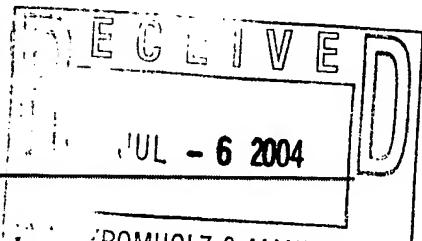
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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 P.O. Box 1450
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*A copy of this notice **MUST** be returned with the reply.*

KROMHOLZ & MANION S.C.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT
Attorney Docket No. 0360-0172.01 (F-5495 DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Tom Westberg)
Mark Vandlik)
Rohit Vishnoi)
Serial No.: 10/828, 359)
Filed: April 20, 2004)
Group Art No.: Not Yet Assigned)
Examiner: Not Yet Assigned)
For: FLUID PRESSURE ACTUATED)
BLOOD PUMPING SYSTEMS AND)
METHODS WITH CONTINUOUS)
INFLOW AND PULSATILE OUTFLOW)
CONDITIONS)

Mail Stop Missing Parts
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P.O. Box 1450
Alexandria, VA 22313-1450

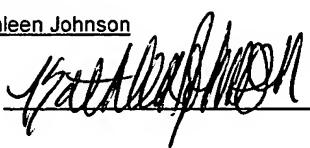
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EV459448735US

Date of Deposit August 17, 2004

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Post Office Box Addressee" service under 37 CFR 1.10
on the date indicated above and is addressed to: Mail
Stop Missing Parts, Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450

NAME Kathleen Johnson

SIGNATURE 

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice To File Missing Parts Of Non-
Provisional Application mailed June 29, 2004, enclosed are the
following:

1. Copy of Declaration of Tom Westberg, Mark Vandlik, and Rohit Vishnoi filed in parent application serial number

09/390,265 filed September 3, 1999. The present application is a division of such parent application.

2. Copy of the Notice to File Missing Parts of Application (Part 2).

3. A check in the amount of \$130.00 is enclosed for the Declaration surcharge fee (\$130.00).

Please charge deposit account no. 50/1039 for any fee deficiency. (A duplicate copy of this letter is enclosed).

Respectfully submitted,



Gary W. McFarron, Esq.
Registration No. 27,357

Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams St., Suite 2850
Chicago, IL 60606
Telephone: (312) 236-8500

Attorneys for Applicant



PATENT
Attorney Docket No. 0360-0172.01 (F-5495 DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Tom Westberg

Mark Vandlik

Rohit Vishnoi

Serial No.: 10/828,359

Filed: April 20, 2004

Group Art No.: Not Yet Assigned

Examiner: Not Yet Assigned

For: FLUID PRESSURE ACTUATED
BLOOD PUMPING SYSTEMS AND
METHODS WITH CONTINUOUS
INFLOW AND PULSATILE OUTFLOW
CONDITIONS

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NAME Kathleen Johnson

SIGNATURE Kathleen Johnson

Certificate of Mailing Under 37 CFR 1.10

I hereby certify that the correspondence listed below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, **Label No. EV 459448735 US** under 37 CFR 1.10 on July 28, 2004 and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Request for Correction of Filing Receipt (2 sheets);
2. Copy of Corrected Filing Receipt (2 sheets);
3. Response to Notice to File Missing Parts of Non-Provisional Application in duplicate (4 sheets);
4. Copy of Declaration filed in parent application serial number 09/390,265 filed September 3, 1999 (5 sheets);
5. Copy of the Notice to File Missing Parts of Application -Part 2 (2 sheets);
6. Check number 17820 in the amount of \$130.00 for Declaration Surcharge Fee (\$130.00)
7. Certificate of Mailing (2 sheets); and

7. Return Receipt Postcard.

Name: Kathleen Johnson

Signature: Kathleen Johnson